

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 292 be amended to read as follows:

1 Page 4, between lines 12 and 13, begin a new paragraph and insert:
2 "SECTION 8. IC 3-8-2-2.2, AS AMENDED BY P.L.1-2005,
3 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2007]: Sec. 2.2. (a) A candidate for a school board office must
5 file a petition of nomination in accordance with IC 3-8-6 and as
6 required under IC 20-23-12, IC 20-23-14, **IC 20-23-17**, or IC 20-23-4.
7 The petition of nomination, once filed, serves as the candidate's
8 declaration of candidacy for a school board office.

9 (b) A candidate for a school board office is not required to file a
10 statement of organization for the candidate's principal committee by
11 noon seven (7) days after the final date for filing a petition of
12 nomination or declaration of intent to be a write-in candidate unless the
13 candidate has received contributions or made expenditures requiring
14 the filing of a statement under IC 3-9-1-5.5."

15 Page 49, between lines 7 and 8, begin a new paragraph and insert:
16 "SECTION 67. IC 5-9-4-8, AS AMENDED BY P.L.1-2005,
17 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2007]: Sec. 8. (a) Except as provided in subsection (b), during
19 the officeholder's leave of absence, the officeholder's office must be
20 filled by a temporary appointment made under:

- 21 (1) IC 3-13-4;
22 (2) IC 3-13-5;
23 (3) IC 3-13-6;
24 (4) IC 3-13-7;

- (5) IC 3-13-8;
- (6) IC 3-13-9;
- (7) IC 3-13-10;
- (8) IC 3-13-11;
- (9) IC 20-23-4;
- (10) IC 20-26;
- (11) IC 20-23-12;
- (12) IC 20-23-14;
- (13) IC 20-23-15;
- (14) IC 20-23-17;**
- ~~(14)~~ **(15)** IC 20-25-3;
- ~~(15)~~ **(16)** IC 20-25-4; or
- ~~(16)~~ **(17)** IC 20-25-5;

in the same manner as a vacancy created by a resignation is filled.

(b) For an officeholder who:

(1) is:

(A) a justice of the supreme court, a judge of the court of appeals, or a judge of the tax court; or

(B) a judge of a circuit, city, county, probate, or superior court; and

(2) is taking a leave of absence under this chapter;

the supreme court shall appoint a judge pro tempore to fill the officeholder's office in accordance with the court's rules and procedures.

(c) The person selected or appointed under subsection (a) or (b) serves until the earlier of:

(1) the date the officeholder's leave of absence ends as provided in section 10 of this chapter; or

(2) the officeholder's term of office expires.

(d) The person selected or appointed to an office under subsection (a) or (b):

(1) assumes all the rights and duties of; and

(2) is entitled to the compensation established for;

the office for the period of the temporary appointment."

Page 49, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 69. IC 20-23-8-5, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. As used in this chapter, "school corporation" means a local public school corporation established under the laws of Indiana. The term does not include a school township or a school corporation covered by IC 20-23-12 **or IC 20-23-17**."

Page 52, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 73. IC 20-23-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 17. Election of School Board Members in East Chicago

Sec. 1. This chapter applies:

- (1) after December 31, 2007; and
- (2) to a school corporation located in a city that has a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800).

Sec. 2. IC 20-23-8 does not apply to a school corporation or the governing body of a school corporation governed by this chapter.

Sec. 3. The governing body of the school corporation consists of the following members:

- (1) Four (4) members elected at large by the registered voters of the entire school corporation. The members elected under this subdivision shall be elected on a nonpartisan basis at a primary election held in the county.
- (2) Three (3) members appointed by the mayor of the city.

Sec. 4. Upon assuming office and in conducting the business of the governing body, a member shall represent the interests of the entire school corporation.

Sec. 5. The following apply to an election of members of the governing body of the school corporation:

- (1) Each candidate must file a petition of nomination with the circuit court clerk not later than seventy-four (74) days before the election at which members are to be elected. The petition of nomination must include the following information:
 - (A) The name of the candidate.
 - (B) The signatures of at least one hundred (100) registered voters residing within the school corporation.
 - (C) A certification that the candidate meets the qualifications for candidacy imposed by this chapter.
- (2) Only eligible voters residing in the school corporation may vote for a candidate.

Sec. 6. The state board, with the assistance of the county election board, shall establish balloting procedures under IC 3 for the election and all other procedures required to implement this chapter.

Sec. 7. The term of office of each member of the governing body of the school corporation is as follows:

- (1) For an elected member of the governing body, four (4) years beginning July 1 following the member's election.
- (2) For an appointed member of the governing body, four (4) years beginning on the date the member's predecessor's term expires.

Sec. 8. (a) Two (2) elected members of the governing body of the school corporation shall be elected at the primary election held in each even-numbered year.

(b) The mayor of the city shall appoint two (2) members of the governing body of the school corporation before July 1, 2008, and every four (4) years thereafter.

1 (c) The mayor of the city shall appoint one (1) member of the
 2 governing body of the school corporation before July 1, 2010, and
 3 every four (4) years thereafter.

4 Sec. 9. (a) A vacancy in the office of an elected member of the
 5 governing body of the school corporation shall be filled
 6 temporarily by the governing body as soon as practicable after the
 7 vacancy occurs. An individual filling a vacancy under this
 8 subsection serves until the expiration of the term of the member
 9 whose position the individual fills.

10 (b) A vacancy in the office of an appointed member of the
 11 governing body of the school corporation shall be filled by the
 12 mayor of the city as soon as practicable after the vacancy occurs.
 13 An individual filling a vacancy under this subsection serves until
 14 the expiration of the term of the member whose position the
 15 individual fills.

16 Sec. 10. (a) Before August 1 of each year, the school corporation
 17 shall file with the state superintendent the following information:

18 (1) A list containing the names and addresses of each member
 19 of the governing body of the school corporation and the date
 20 of the expiration of each member's term of office.

21 (2) A list containing the names and addresses of each of the
 22 school corporation's officers and the date of the expiration of
 23 each officer's term of office.

24 (b) The school corporation shall file any change in the
 25 information under subsection (a) not later than thirty (30) days
 26 after the change occurs."

27 Page 55, between lines 27 and 28, begin a new paragraph and insert:

28 "SECTION 82. [EFFECTIVE JULY 1, 2007] (a) This SECTION
 29 applies to a school corporation and the governing body of the
 30 school corporation in a city that has a population of more than
 31 thirty-two thousand (32,000) but less than thirty-two thousand
 32 eight hundred (32,800).

33 (b) Notwithstanding any other law, the terms of the members of
 34 the governing body of the school corporation who hold office on
 35 June 30, 2008, expire July 1, 2008.

36 (c) On July 1, 2008, all powers, duties, and functions adhering
 37 to the governing body of the school corporation in existence on
 38 June 30, 2008, are transferred to the governing body established by
 39 IC 20-23-17, as added by this act.

40 (d) On July 1, 2008, the property and records of the governing
 41 body of the school corporation in existence on June 30, 2008, are
 42 transferred to the governing body established by IC 20-23-17, as
 43 added by this act.

44 (e) Notwithstanding IC 20-23-17-8, as added by this act, the four
 45 (4) elected members of the governing body of the school
 46 corporation shall be elected at the primary election to be held on
 47 May 6, 2008. IC 3 and IC 20-23-17, as added by this act, except to

1 the extent those provisions conflict with this SECTION, apply to
 2 the election held under this subsection.

3 (f) Notwithstanding IC 20-23-17-7, as added by this act, the
 4 terms of office of the members elected under subsection (e) expire
 5 as follows:

6 (1) The terms of office of the two (2) members who receive the
 7 greatest and next greatest numbers of votes in the election
 8 expire July 1, 2012.

9 (2) The terms of office of the two (2) members elected but who
 10 are not described in subdivision (1) expire July 1, 2010.

11 (g) The successors of the members described in subsection (f)
 12 shall be elected as follows:

13 (1) The successors of the members described in subsection
 14 (f)(1) shall each be elected for a four (4) year term at the
 15 primary election held May 8, 2012, as provided in
 16 IC 20-23-17-7 and IC 20-23-17-8, both as added by this act.

17 (2) The successors of the members described in subsection
 18 (f)(2) shall each be elected for a four (4) year term at the
 19 primary election held May 4, 2010, as provided in
 20 IC 20-23-17-7 and IC 20-23-17-8, both as added by this act.

21 (h) Notwithstanding IC 20-23-17-8, as added by this act, the
 22 mayor of the city shall make the appointments required under
 23 IC 20-23-17-3, as added by this act, not later than July 1, 2008.
 24 When making the appointments required by this SECTION, the
 25 mayor shall appoint:

26 (1) two (2) members whose terms expire July 1, 2012; and

27 (2) one (1) member whose term expires July 1, 2010.

28 When making the appointments under this subsection, the mayor
 29 must state when the term of each member appointed expires. The
 30 successors of the members appointed under subdivision (1) serve
 31 four (4) year terms, beginning July 1, 2012. The successor of the
 32 member appointed under subdivision (2) serves a four (4) year
 33 term, beginning July 1, 2010.

34 (i) This SECTION expires July 1, 2012."

35 Renumber all SECTIONS consecutively.

(Reference is to ESB 292 as printed April 6, 2007.)

Representative Candelaria Reardon